

a libel praying seizure and condemnation of 30 jars of Elco-Rub at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about December 12, 1936, by the Erie Laboratories from Cleveland, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that it consisted essentially of petrolatum, oil of eucalyptus, methyl salicylate, camphor, menthol, oil of turpentine, and guaiacol.

The article was alleged to be misbranded in that the statements, "Internally—If cough is persistent and annoying, swallow a quarter of a teaspoonful every few hours \* \* \* Sore Throat Croup Whooping Cough \* \* \* Rheumatism Stiff Neck \* \* \* Nasal Catarrh", appearing on the jar label, regarding its curative or therapeutic effects, were false and fraudulent.

On March 3, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27361. Adulteration and misbranding of sutures. U. S. v. 96 Envelopes of Sutures. Default decree of condemnation and destruction. (F. & D. no. 39016. Sample no. 33815-C.)**

This case involved sutures that were contaminated with viable micro-organisms and spores.

On February 3, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 96 envelopes of sutures at Chicago, Ill., alleging that they had been shipped in interstate commerce on or about September 22, 1936, by the Laboratory of the Ramsey Co. [County] Medical Society from St. Paul, Minn., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Plain Pyoktanin Catgut."

It was alleged to be adulterated in that its purity fell below the professed standard of quality under which it was sold, namely, plain pyoktanin catgut, since it was not "Plain \* \* \* Catgut" but contained viable micro-organisms and spores, which contaminated it.

The article was alleged to be misbranded in that the statement "Plain Pyoktanin Catgut", borne on the label, was false and misleading when applied to catgut that was contaminated with viable micro-organisms and spores. It was alleged to be misbranded further in that it was offered for sale under the name of another article, namely, plain pyoktanin catgut, since plain pyoktanin catgut is a sterile, not a contaminated article.

On April 12, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27362. Adulteration of jalap. U. S. v. 1,016 Kilograms of an Article Represented to be Jalap. Default decree of condemnation and destruction. (F. & D. no. 39060. Sample no. 16991-C.)**

This article was represented to be jalap, a product recognized in the National Formulary but differed from the standard established by that authority since 99.6 percent of the resin derived from the product was soluble in chloroform and 95.4 percent of the resin was soluble in ether; whereas the formulary provides that not more than 30 percent of the resin obtained from jalap shall be soluble in chloroform and that not more than 12 percent of the resin so obtained shall be soluble in ether.

On February 10, 1937, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,016 kilograms of an article represented to be jalap at Norwich, N. Y., alleging that on or about August 19, 1936, the product was invoiced by P. Grossmann, Mexico City, Mexico, as jalap; that it was shipped from Vera Cruz, Mexico, on or about August 19, 1936, to New York, N. Y., and was reshipped to Norwich, N. Y., arriving at destination September 16, 1936, and that it was adulterated in violation of the Food and Drugs Act.

It was alleged to be adulterated in that it was sold under the name "jalap", a name recognized in the National Formulary, and differed from the standard of strength, quality, or purity as determined by the test laid down in said formulary and its own standard of strength, quality, or purity was not stated.

On March 31, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*